

**ALASKA STATE LEGISLATURE
CONFERENCE COMMITTEE ON HB 137**

May 5, 2016

8:32 a.m.

MEMBERS PRESENT

Representative David Talerico, Chair
Representative Benjamin Nageak
Representative Geran Tarr

Senator Cathy Giessel, Chair
Senator Bill Stoltze
Senator Gary Stevens

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 137

"An Act raising certain fees related to sport fishing, hunting, and trapping; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents to 65 years of age; requiring state residents to purchase big game tags to take certain species; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 137

SHORT TITLE: HUNT/FISH/TRAP: FEES;LICENSES;EXEMPTIONS

SPONSOR(S): REPRESENTATIVE(S) TALERICO

03/06/15	(H)	READ THE FIRST TIME - REFERRALS
03/06/15	(H)	RES, FIN
03/20/15	(H)	RES AT 1:00 PM BARNES 124
03/20/15	(H)	Heard & Held
03/20/15	(H)	MINUTE(RES)
03/25/15	(H)	RES AT 6:00 PM BARNES 124
03/25/15	(H)	Moved CSHB 137(RES) Out of Committee
03/25/15	(H)	MINUTE(RES)
03/27/15	(H)	RES RPT CS(RES) NT 2DP 3NR 2AM
03/27/15	(H)	DP: OLSON, TALERICO

03/27/15 (H) NR: HERRON, JOSEPHSON, JOHNSON
03/27/15 (H) AM: SEATON, TARR
04/07/15 (H) FIN AT 1:30 PM HOUSE FINANCE 519
04/07/15 (H) Heard & Held
04/07/15 (H) MINUTE(FIN)
04/10/15 (H) FIN AT 1:30 PM HOUSE FINANCE 519
04/10/15 (H) Heard & Held
04/10/15 (H) MINUTE(FIN)
04/13/15 (H) FIN RPT CS(FIN) NT 5DP 5NR
04/13/15 (H) DP: PRUITT, WILSON, GATTIS, MUNOZ,
THOMPSON
04/13/15 (H) NR: SADDLER, GARA, GUTTENBERG, EDGMON,
NEUMAN
04/13/15 (H) FIN AT 9:00 AM HOUSE FINANCE 519
04/13/15 (H) Moved CSHB 137(FIN) Out of Committee
04/13/15 (H) MINUTE(FIN)
04/15/15 (H) TRANSMITTED TO (S)
04/15/15 (H) VERSION: CSHB 137(FIN) AM
04/15/15 (S) RES AT 3:30 PM BUTROVICH 205
04/15/15 (S) Scheduled but Not Heard
04/16/15 (S) READ THE FIRST TIME - REFERRALS
04/16/15 (S) RES, FIN
04/16/15 (S) RES AT 3:30 PM BUTROVICH 205
04/16/15 (S) Heard & Held
04/16/15 (S) MINUTE(RES)
04/17/15 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/17/15 (S) Scheduled but Not Heard
02/29/16 (S) RES AT 3:30 PM BUTROVICH 205
02/29/16 (S) Heard & Held
02/29/16 (S) MINUTE(RES)
03/23/16 (S) RES AT 3:30 PM BUTROVICH 205
03/23/16 (S) Heard & Held
03/23/16 (S) MINUTE(RES)
03/28/16 (S) RES AT 3:30 PM BUTROVICH 205
03/28/16 (S) Moved SCS CSHB 137(RES) Out of
Committee
03/28/16 (S) MINUTE(RES)
03/30/16 (S) RES RPT SCS 2DP 2NR 3AM NEW TITLE
03/30/16 (S) DP: GIESSEL, COGHILL
03/30/16 (S) NR: COSTELLO, STEDMAN
03/30/16 (S) AM: WIELECHOWSKI, MICCICHE, STOLTZE
04/12/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/12/16 (S) Heard & Held
04/12/16 (S) MINUTE(FIN)
04/13/16 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/13/16 (S) Heard & Held
04/13/16 (S) MINUTE(FIN)

04/15/16 (S) FIN AT 8:00 AM SENATE FINANCE 532
 04/15/16 (S) Heard & Held
 04/15/16 (S) MINUTE(FIN)
 04/15/16 (S) FIN AT 5:00 PM SENATE FINANCE 532
 04/15/16 (S) Moved SCS CSHB 137(FIN) AM Out of
 Committee
 04/15/16 (S) MINUTE(FIN)
 04/16/16 (S) FIN RPT SCS 5DP 2NR NEW TITLE
 04/16/16 (S) DP: MACKINNON, MICCICHE, BISHOP,
 DUNLEAVY, HOFFMAN
 04/16/16 (S) NR: KELLY, OLSON
 04/17/16 (S) VERSION: SCS CSHB 137(FIN) AM S
 04/20/16 (H) CONFERENCE COMMITTEE APPOINTED
 04/20/16 (H) TALERICO (CHAIR), NAGEAK, TARR
 04/22/16 (S) RECEDE MESSAGE READ AND HELD
 05/04/16 (S) RECEDE MESSAGE TAKEN UP
 05/04/16 (S) CONFERENCE COMMITTEE APPOINTED
 05/04/16 (S) GIESSEL (CHAIR), STOLTZE, STEVENS
 05/05/16 (H) HB137 AT 8:30 AM BILL RAY CENTER 208

WITNESS REGISTER

KEVIN BROOKS, Deputy Commissioner
 Alaska Department of Fish & Game (ADF&G)
 Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the Conference Committee hearing on HB 137.

ACTION NARRATIVE

[8:32:56 AM](#)

CHAIR DAVID TALERICO called the Conference Committee meeting on HB 137 to order at 8:32 a.m. Representatives Nageak, Tarr, and Talerico, and Senators Stevens, Stoltze, and Giessel were present at the call to order.

HB 137-HUNT/FISH/TRAP: FEES;LICENSES;EXEMPTIONS

[8:33:31 AM](#)

CHAIR TALERICO announced that the only order of business would be CS FOR HOUSE BILL NO. 137(FIN) am, "An Act raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; replacing the permanent sport fishing, hunting, or trapping

identification card for certain residents with an identification card valid for three years; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; and providing for an effective date." and SENATE CS FOR CS FOR HOUSE BILL NO. 137(FIN) am S, "An Act establishing an intensive management surcharge; providing for the repeal of the intensive management surcharge; establishing certain special hunting and fishing licenses and permits for residents with developmental disabilities; establishing a separate sustainable wildlife account in the fish and game fund; raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; relating to the regulation of nonresident hunters; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; relating to the Chitina dip net fishery; and providing for an effective date."

CHAIR TALERICO stated that the Conference Committee on HB 137 is operating under Rule 42; public testimony will not be taken; and adoption of the conference committee report requires an affirmative vote by a majority of the membership from each house. He entertained a motion to adopt the House version.

[8:34:08 AM](#)

REPRESENTATIVE NAGEAK moved to adopt CSHB 137(FIN)am.

CHAIR GIESSEL and SENATOR STEVENS objected.

[8:34:37 AM](#)

A roll call vote was taken. Representatives Nageak and Tarr voted in favor of the motion to adopt CSHB 137(FIN)am. Representative Talerico voted against it. Senators Stoltze, Stevens, and Giessel voted against the motion to adopt CSHB 137(FIN)am. Therefore the motion failed with a vote of 2:1 (House) and 0-3 (Senate).

[8:35:29 AM](#)

CHAIR GIESSEL moved to adopt SCS CSHB 137(FIN)am S.

CHAIR TALERICO objected.

8:35:41 AM

A roll call vote was taken. Representative Nageak voted in favor of the motion to adopt SCS CSHB 137(FIN)am S. Representatives Tarr and Talerico voted against it. Senators Stoltze, Stevens, and Giessel voted against the motion to adopt SCS CSHB 137(FIN)am S. Therefore the motion failed with a vote of 1:2 (House) and 0:3 (Senate).

8:36:31 AM

CHAIR TALERICO offered his understanding that the House had agreed with all the changes adopted by the Senate body but one: a Senate floor amendment that added Section 29. He said the intent of Section 29 was to deal with some unintended consequences of some Board of Game regulations relating to black bears in Southeast Alaska; however, it ended up restricting other allocations, for example, the brown bear hunt in Kodiak, Alaska, where the proposed language in Section 29 would have cut the number of brown bear hunts [requiring registered guides] in half. Another area that would be affected is in the mountains of Tok, Alaska, where sheep hunts occur. He offered his understanding that it was not the intention of [the Senate] for Section 29 to have that consequence. He said in order for new language to be incorporated into HB 137, the Conference Committee on HB 137 would need to request limited powers of free conference. He asked Chair Giessel to outline a proposed solution.

8:37:55 AM

CHAIR GIESSEL clarified that a proposed solution had been discussed with the maker of the amendment that added Section 29. The solution would be to remove Section 29 from the Senate version of HB 137 and replace it with reporting requirements on the game opportunity for residents and nonresidents. She stated that at the fundamental level, [HB 137] is a revenue bill, and "the [Senate floor] amendment deals with allocation issues." She explained that adding a reporting requirement would meet the original intent of that amendment, but without the unintended consequences of Section 29. She echoed Chair Talerico's statement that in order to make the changes, the committee must request limited powers of a free conference committee.

[8:38:58 AM](#)

CHAIR TALERICO noted those available to testify: Kevin Brooks, the deputy commissioner of the Alaska Department of Fish & Game; Bruce Dale, the director of the Division of Wildlife Conservation; and Natalie Weber, with the Division of Wildlife Conservation.

[8:39:22 AM](#)

REPRESENTATIVE TARR said she would like to hear from Mr. Brooks regarding [the reporting requirement that may be considered] and [the aforementioned] Section [29].

[8:39:59 AM](#)

KEVIN BROOKS, Deputy Commissioner, Alaska Department of Fish & Game (ADF&G), indicated the department had analyzed the reporting requirement [being considered for a conference committee substitute], and he relayed that a lot of the reporting contemplated is already being done. He said the department already promulgates in regulation issues related to hunts, bag limits, and resident/nonresident status. He stated that as the department understands the proposed solution, it would formalize reporting such that the department would notify the legislature that it had updated the board's activity [report] for the preceding year. He said he thinks ADF&G can do that with existing staff; it would not create a burden on the department; and it would not result in any additional cost. He said to reflect those points the department would update the fiscal note that would correlate with a new version HB 137.

REPRESENTATIVE TARR inquired if the proposed reporting would include any recommendations. She continued:

... I guess that's what I wanted to understand, because this was going to sort of broaden application of resident status to nonresident individuals. But does this -- this is just more of us getting the information so we have a deeper understanding rather than [the] department making recommendations relative to that policy change?

MR. BROOKS answered that's correct.

[8:41:38 AM](#)

SENATOR STOLTZE asked why the legislature bothered to confirm a Board of Game if the department is making the policy changes.

MR. BROOKS answered that all the department would be doing is reporting on the board's activities; it would not be creating policy.

SENATOR STOLTZE offered his understanding that [Mr. Brooks'] response to [Representative Tarr's] question had been that [the department] would make policy recommendations. He remarked, "I don't know who runs the Board of Game. Is it the department or ... are they the people's representatives? That was a troublesome statement there."

MR. BROOKS responded that the Board of Game acts upon delegation from the legislature; it does not work under the direction of the department.

SENATOR STOLTZE expressed hope that that would be "cemented" and "remembered."

[8:42:32 AM](#)

SENATOR STEVENS asked when, on an annual basis, the legislature could expect the report to be made available.

MR. BROOKS answered that the amendment calls for annual notification on February 1 of the previous calendar year's activities.

[8:42:59 AM](#)

REPRESENTATIVE TARR asked Mr. Brooks to address "the most recent fiscal note," in regard to "what our opportunities for the match are."

MR. BROOKS replied that the bill would generate an estimated 9 percent or \$9.1 million in revenue, approximately \$3.5 million of which is allocated to sport fishing and about \$5.5 million to hunting and wildlife conservation. Currently the department is under-matched on federal funds for "the wildlife side." He said there has been a significant increase in Pittman-Robertson funds, so the revenue derived from HB 137 would help that funding match by 3:1 - federal to state dollars. He indicated that matches on the fishing side come from the Dingell-Johnson program, but currently there is not a match challenge being offered. He said, "There are other -- certainly the revenue

derived is going to have a beneficial use. One, for some of the general fund cuts that have occurred in that division." He said the department had provided a document to the [Senate] Resources [Standing] Committee on some of the intended uses of the funds for both sport fishing and wildlife conservation.

[8:44:55 AM](#)

SENATOR STEVENS said the unintended consequences of the Senate floor amendment would have been devastating to his community, including cutting in half the allocation for the guiding industry, which has made investments in camps over the years and has scheduled plans years in advance. He expressed gratitude for the efforts being made to improve the proposed legislation.

[8:45:51 AM](#)

SENATOR GEISSEL moved that the Conference Committee on HB 137 request limited powers of free conference for HB 137, as it relates to Section 29 of SCS CSHB 137(FIN)AM S, related to the Board of Game restrictions on big game hunts for nonresidents. There being no objection, it was so ordered.

[HB 137 was held over.]

[8:47:19 AM](#)

ADJOURNMENT

There being no further business before the committee, the Conference Committee meeting on HB 137 was adjourned at 8:47 a.m.